



JC05 PCT/PTO 12 MAR 2002

Dkt. 0575/58040-A-PCT-US/JPW/ADM

IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

Applicants : Jonathan M. Barasch et al.

U.S. Serial No.: 09/980,853 Int'l App'l No.  
PCT/US00/12536

Entered U.S. : November 2, 2001 Int'l Filing Date:  
National Stage May 4, 2000

For : A METHOD OF INDUCING FORMATION OF KIDNEY  
EPITHELIA FROM MESENCHYMAL PRECURSORS

1185 Avenue of the Americas  
New York, New York 10036  
March 5, 2002

Assistant Commissioner for Patents  
BOX PCT  
Washington, D.C. 20231  
ATTN: DO/EO/US

Sir:

**COMMUNICATION IN RESPONSE TO JANUARY 22, 2002  
NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. §371 AND  
INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97(b)(3)**

This Communication is submitted in response to a Notification Of Missing Requirements Under 35 U.S.C. §371 issued January 22, 2002 in connection with the above-identified application. A copy of the Notification is attached hereto as **Exhibit A**. A response to the January 22, 2002 Notification is due March 22, 2002. Accordingly, this Communication is being timely filed.

The Notification indicates that an oath executed in accordance with 37 C.F.R. §1.66 or a declaration executed in accordance 37 C.F.R. §1.68 is required. In response, applicants submit as **Exhibit B** hereto an original signed Declaration and Power of Attorney executed in accordance with 37 C.F.R. §1.68 and in compliance with

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37 C.F.R. §1.497(a) and (b). In compliance with 37 C.F.R. §1.497(a), the Declaration refers to the application's above-identified International Application Number, International Filing Date, U.S. Serial Number, and date of U.S. National entry.

The surcharge for submitting the Declaration for a small entity is the SIXTY-FIVE DOLLAR (\$65.00) fee set forth in 37 C.F.R. §1.492(e) and a check in this amount is enclosed.

**Sequence Listing**

The Notification indicates that a computer readable form (CRF) of the Sequence Listing has not be submitted as required by 37 C.F.R. §1.821(e).

In response, applicants respectfully refer the Examiner to the following paragraph which was included as part of the Preliminary Amendment that was filed when the subject application entered the U.S. National stage on November 2, 2001:

The Sequence Listing in the subject application is identical to the Sequence Listing in the parent of the subject application, namely PCT International Application No. PCT/US00/12536, filed May 4, 2000. Applicants attach herewith copies of the paper copy of the Sequence Listing (3 pages) and the Statement In Accordance With 37 C.F.R. §1.821(f) which were filed with PCT International Application No. PCT/US00/12536 on May 4, 2000. In accordance with 37 C.F.R. §1.821 (e), please use the computer readable form filed in PCT International Application No. PCT/US00/12536 on May 4, 2000 as the

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## UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT  
United States Patent and Trademark Office  
Washington, D.C. 20231  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/980,853	Jonathan M Barasch	58040-A-PCT-US/JPW/FHB

John P White  
Cooper & Dunham  
1185 Avenue of the Americas  
New York, NY 10036

1/22/2002  
MP Due: 3/22/2002  
MP Ext: 4/22/2002  
MP Ext: 5/22/2002  
MP Ext: 6/22/2002  
MP Ext: 7/22/2002  
MP Deadline: 8/22/2002 SML

INTERNATIONAL APPLICATION NO.	
PCT/US00/12536	
I.A. FILING DATE	PRIORITY DATE
05/04/2000	5/4/1999

CONFIRMATION NO. 3274

## 371 FORMALITIES LETTER



\*OC00000007334451\*

Date Mailed: 01/22/2002

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Indication of Small Entity Status
- Biochemical Sequence Listing
- Copy of IPE Report
- Copy of the International Application
- Copy of the International Search Report
- Oath or Declaration
- Preliminary Amendments
- Request for Immediate Examination
- Small Entity Statement

JAN 29 2002

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):
  - A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).
  - APPLICANT MUST PROVIDE:
    - An initial or substitute computer readable form (CRF) of the "Sequence Listing."

- A statement that the contents of the paper or compact disc and the computer readable form are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b) or 1.825(d).
- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:
  - For Rules Interpretation, call (703) 308-4216
  - To Purchase PatentIn Software, call (703) 306-2600
  - For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

LAMONT M HUNTER

Telephone: (703) 305-3686

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
09/980,853	PCT/US00/12536	58040-A-PCT-US/JPW/FHB